

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

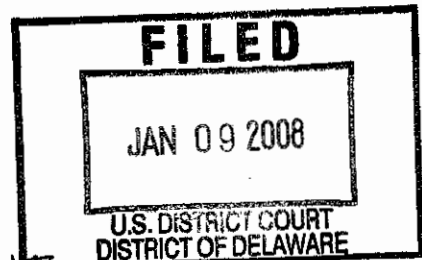
MICHAEL LEAGER

Plaintiff

WILLIAMS et al

Defendants

CA. NO 07-429-GMS



MOTION TO AMEND THE COMPLAINT BD scanned

NOW COMES THE PLAINTIFF, Michael Leager, pro se, who moves this Honorable Court to issue an ORDER granting this motion to amend the Complaint. In order to thoroughly articulate his request for a motion to amend the Complaint he offers the following ...

- 1.) Plaintiff filed Civil Suit by way of \$1983 in which was filed on July, 18, 07 at 3:58 pm
- 2.) During filing of said suit, the plaintiff was not aware that he could sue for Compensatory Damages in which best fits the relief for the plaintiff in this suit.
- 3.) Recently it was brought to the plaintiff's attention that Correctional - Medical Services or (CMS) had provided him with the incorrect spelling of Dr Kendle's name. (The correct spelling is Kendle)

4.) Plaintiff recently discovered that he could not sue for compensatory damages under the defendants official. Brooks v Celeste F.3d 125, Federal Civil procedure Key 392,843. Civil Rights Key 207 (7)

States "State officials sued only in their official capacity are not (persons) under federal civil rights statute when sued for Compensatory Damages"

WHEREFORE... Pursuant to Rule 5(b), Fed. R. Civ. P., the plaintiff prays this Honorable Court grant the said motion to amend the Complaint so he can sue under both (Official), and (Personal) capacities and on how ever the Honorable Court feels deemed appropriate the plaintiff offers the following amended Complaint.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MICHAEL LEAGER

Plaintiff

V

WILLIAMS et. al

Defendants

CANo 07-429-GMS

Defendants

1) RALPHAEL WILLIAMS

(EMPLOYED AS) WARDEN AT HOWARD R. YOUNG CORRECTIONAL -
INSTITUTION

(MAILING ADDRESS) 1301 EAST 12TH STREET WILMINGTON, DE, 19809

2) ELLIS KENDLE

(EMPLOYED AS) DOCTOR KENDLE AT HOWARD R. YOUNG -
CORRECTIONAL INSTITUTION

(MAILING ADDRESS) 1301 EAST 12TH STREET WILMINGTON -
DE, 19809.

3) JAMES WELCH

(EMPLOYED AS) DEPARTMENT OF CORRECTION MEDICAL SERVICE -
ADMINISTRATOR AT DEPARTMENT OF CORRECTION

(MAILING ADDRESS) 245 MCKEE ROAD, DOWER, DE, 19904

STATEMENT OF CLAIM

- 1). ELLIS KENDLE - SAME AS ORIGINAL
- 2). RAPHAEL WILLIAMS - SAME AS ORIGINAL.
3. JAMES WEICH - SAME AS ORIGINAL.

BELIEF

(MEDICAL)

To Have medical treatment pertaining to my Arm paid for,
medication, Surgery, Xrays, ect. \$ 150,000.00.

(One Hundred Fifty thousand Dollars) to be awarded.

~~PAIN AND SUFFERING~~

AS to pain and suffering this injury has caused by not being
treated. \$ 500,000.00 (Five Hundred Thousand Dollars) to be awarded.

MENTAL ANGUISH

AS to the mental anguish it has caused by not being treated
and very limited use of left arm. \$ 1,000,000.00.
(One Million Dollars) to be awarded.

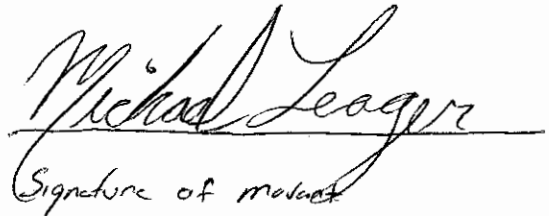
Certificate of Service.

I Declare the contents of this motion to be true and correct.

Signed this 7th Day of January 2008.

I Michael Leager truly state I have served a true and correct copy of said motion to the attorney general's office of the state of Delaware.

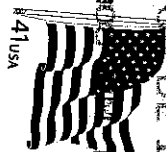
Attorney General's office
820 N French St
Wilmington DE
19801.


Signature of Michael Leager

Michael Leager
BI# 515275
RYCI Po Box 9561
Wilmington DE 19809

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S.W.S.N
X-RAY

WILMINGTON DE 197
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Office of the Clerk

United States District Court

844 N. King Street, Lockbox 18

Wilmington Delaware 19801-3570

19801-3570

